

Remarks/Arguments

Applicant believes the Examiner has made an inadvertent error in withdrawing claims 1 to 22 as being directed to a non-elected invention.

The Examiner, in a December 14, 2005 office action, raised a restriction requirement between I: claims 1 to 22 directed to a switching apparatus and II: claims 23 to 28 directed to a chair adjustment mechanism. In a reply of February 13, 2006, applicant chose the invention of II. In that reply, claims 8 to 12 and 14 to 22 were amended so that they are directed to a chair adjustment mechanism and so that they depend indirectly from claim 23. In consequence, it is submitted that dependent claims 8 to 12 and 14 to 22, as amended, are clearly part of Group II and so should not be considered withdrawn.

Furthermore, claims 1 to 6 were amended in the reply of February 13, 2006 so that they are directed to a chair control mechanism and include a cam. In consequence, it is submitted that these claims should also be considered part of Group II and should not have been considered withdrawn. To make this even clearer, these claims have been further amended to recite a "chair adjustment mechanism".

The Examiner rejected the claims as anticipated by US6,213,552 to Miotto.

Miotto shows a cam including a protuberance and a slidable bearing member including a corresponding indentation. However, the protuberance only enters the indentation in one position of the cam. Claim 1 requires that the protuberance and indentation form "a perpetual join". It is therefore submitted that claim 1, and the claims which depend therefrom, patentably define over Miotto.

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Unlike Miotto, claim 23 requires “a join between said cam and said bearing member maintained for all positions of said cam”. Further, in consequence, as described in claim 23, “due to said join, rotation of said cam between said first position and said second position translates said bearing member”. This is a different operation than that of Miotto. It is therefore submitted that claim 23, and the claims which depend therefrom, patentably define over the art of record.

In view of the foregoing, early favourable consideration of this application is earnestly solicited.

Respectfully submitted,



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